

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1300 PLD



Project Name: NOBLE MEADOWS SUBDIVISION

Case Number: PLD2010-00001; PUD2010-00001; SEP2010-00002; WET2010-00001; GEO2010-00002; HAB2010-00002

Location: 616 NE 149th Street

Request: The applicant proposes to subdivide approximately 9.37 acres into 32 single family residential lots using the planned unit development (PUD) standards, CCC 40.520.080 in the R1-10 zoning district.

Applicant: Sterling Design, Inc.
Attn.: Joel Stirling, P. E.
2208 E. Evergreen Blvd.
Vancouver, WA 98661
(360) 759-1794, E-mail: Mail@sterling-design.biz
Joel@sterling-design.biz

Contact Person: (Same as Applicant)

Property Owner: Stan Firestone 50% Interest
P. O. Box 61928
Vancouver, WA 98666
(360) 695-9484, E-mail: Stan@firestonepacificfoods.com

RECOMMENDATION Approve subject to Conditions

DS Manager's Initials: MS Date Issued: April 7 2010

Public Hearing Date: April 22, 2010

County Review Staff:

| <u>Department/Division</u> | <u>Name</u> | <u>Ph. Ext.</u> | <u>E-mail Address</u> |
|--|-----------------------|---------------------|--|
| Development Services Manager: | Michael Butts | 4137 | Michael.butts@clark.wa.gov |
| Development Services Planner: | Michael Uduk | 4385 | Michael.uduk@clark.wa.gov |
| Environmental Services Habitat Biologist: | George Fornes | 5601 | George.fornes@clark.wa.gov |
| Environmental Services Wetland Biologist: | Brent Davis | 4152 | Brent.davis@clark.wa.gov |
| Engineering Services Engineer Supervisor: (Trans. & Stormwater): | Tom Grange P.E. | 4449 | Tom.grange@clark.wa.gov |
| Engineering Services Team Leader: (Trans. & Stormwater): | Ali Safayi P.E. | 4102 | Ali.safayi@clark.wa.gov |
| Engineering Services Engineer (Trans. & Stormwater): | David Bottamini, P.E. | 4881 | David.bottamini@clark.wa.gov |
| Engineering Supervisor: (Trans. Concurrency): | Steve Schulte P.E. | 4017 | Steve.schulte@clark.wa.gov |
| Concurrency Engineer: (Trans. Concurrency): | David Jardin P.E. | 4354 | David.jardin@clark.wa.gov |
| Fire Marshal Office | Tom Scott | 3323 | Tom.scott@clark.wa.gov |

Comp Plan Designation: Urban Low Density Residential (UL)

Parcel Number(s): Tax Lot 18 (185410) located in the NE ¼, of Section 22, Township 3 North, Range 1 East, of the Willamette Meridian.

Applicable Laws:

Clark County Code Chapter: 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.380 (Stormwater Drainage and Erosion Control), 15.12 (Fire Code), Chapter 40.570 (SEPA), 40.520.080 (Planned Unit Development, PUD), 40.220.010 (Single-Family Residential Districts, R1-10), 40.430 (Geologic Hazard Areas), 40.440 (Habitat Conservation), 40.450 (Wetland Protection), 40.500 (Procedure), RCW 58.17 (State Platting Laws)

Neighborhood Association/Contact:

North Salmon Creek Neighborhood Association
Barbara Anderson, President
105 NE 150th Street
Vancouver, WA 98685
Phone: (360) 573-2240, E-mail: Barbara.anderson@msn.com

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on January 29, 2009. The pre-application was determined to be contingently vested as of January 2, 2009 (i.e., the date the fully complete pre-application was submitted).

The fully complete application was submitted on January 19, 2010, and determined to be fully complete on January 29, 2010. The applicant submitted additional documentation on January 28, 2010; therefore, the application was vested on January 28, 2010. There are no disputes regarding vesting.

Time Limits:

The application was determined to be fully complete on January 29, 2010, (see Exhibit No.8). Therefore, the County Code requirement for issuing a decision within 92 days lapses on May 1, 2010. The State requirement for issuing a decision within 120 calendar days, lapses on May 29, 2010.

Public Notice:

Notice of application and public hearing was mailed to the applicant, the North Salmon Creek Neighborhood Association and property owners within 300 feet of the site on February 18, 2010. One sign was posted on the subject property and two within the vicinity on April 7, 2010.

Public Comments:

The county received two letters from Mr. and Mrs. Marland J. Howard. The first letter (Exhibit 11) is dated March 4, 2010, and co-signed by 67 neighbors representing 46 households in the area. The letter raised the following issues:

1. Lot area: The minimum lot area proposed in this PUD is 4,486 square feet and the maximum lot area is 6,819 square feet. The proposed lots abutting Whipple Creek Estates to the west are not compatible with the existing development.
2. The property has wetlands, habitat and potentially unstable slopes that cannot be developed; therefore, the remaining portion of the site is too small to accommodate 32 new lots without significantly impacting the housing developments in Whipple

Creek Estates west of the site. The neighbors do not think that the design of small lots abutting the Whipple Creek Estates is good planning.

2. This development will have adverse impacts to existing animals, bird, and the slope stability on the site, especially with the location of a trail within areas that are mapped critical by the County's GIS Mapping systems.
3. The neighbors are also concerned with traffic and stormwater issues.
4. The second letter (Exhibit 12) further emphasizes the substandard nature of the proposed lot sizes in the R1-10 zone and the density that the applicant is proposing in this PUD based upon the property available for development after subtracting all the critical land area and the public right-of-way dedication.

Response:

The land use issues are addressed in the land use section of this report. Staff is recommending that lots abutting Whipple Creek Estates 7,500 square feet each or 75 percent of the minimum lot area in the R1-10 district. The traffic and stormwater and erosion control issues are addressed by the county's Public Works Development Engineering and Transportation Concurrency staffs in the attached Staff Reports with appropriate mitigation measures identified as conditions of approval. Wetland and Habitat impacts are also addressed by Environmental Services staffs and appropriate mitigations measure have been identified and imposed as conditions of approval.

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|-------------------------|
| Project Overview |
|-------------------------|

The applicant is requesting a preliminary plat approval to subdivide approximately 9.37 acres into 32 single family residential lots in the R1-10 zoning district using the planned unit development standards, CCC 40.520.080. The single family housing is a permitted use in the R1-10 zoning district.

Table 1 shows the comprehensive plan designation, zoning, and current land use on the site and on the abutting properties:

Table 1: Comprehensive Plan, Zoning and Current Land Use

| Compass | Comp Plan | Zoning | Current Land Use |
|---------|--|-----------------------|--|
| Site | Urban Low (UL) | Single-family (R1-10) | The property slopes gradually northwards into the Whipple Creek tributary. It is a vacant parcel with the southern section covered by mostly grass and a few mature trees. |
| North | UL | R1-10 | Acreage home sites. |
| East | Employment Center (EC) and Light Industrial (ML) | Light Industrial (ML) | Acreage home site. |

| | | | |
|-------|----|--------|--|
| South | UL | R1-7.5 | NE 149 th Street and residential housing development. |
| West | UL | R1-10 | Whipple Creek residential housing development. |

The USDA Soil Conservation Service, Soil Survey of Clark County, Washington, 1972, classifies the soils at this site as those of Hillsboro silt loam (HoB, HoE) and Gee silt loam (GeB) on slopes ranging from zero to 30 percent. Maps from Clark County's GIS Mapping System indicate that the site contains wetlands, habitat, priority habitat and species areas, including riparian habitat conservation area and non-riparian habitat conservation area, Washington Department of Fish and Wildlife priority habitat buffer and areas identified as containing potential slope instability and erosion hazard.

The property is located within the City of Vancouver's urban growth area (UGA). It is situated in an area served by Fire Protection District 6, Vancouver School District, Mount Vista Traffic Impact Fees District, and Parks Improvement District 10. Clark Public Utilities and Clark Regional Wastewater District provide potable water and sewer services in the area, respectively.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts could be mitigated through application of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposal not discussed below comply with the applicable code requirements.

LAND USE:

Finding 1

The applicant is requesting a preliminary subdivision plat approval to subdivide approximately 9.37 acres into 32 single family residential lots using the PUD standards, CCC 40.520.080, in the R1-10 zoning district. Single family housing development is an outright permitted use in the R1-10 zoning district that provides for a minimum single family lot area of 10,000 square feet and an average maximum single family lot area of 15,000 square feet [per Table 40.220.010-2 (Lot Area Requirements)].

Since this a planned unit development, the applicable section of the code, CCC 40.520.080, states that the PUD is intended to allow flexibility in lot design and creative site planning, density, and mixed uses in conformance with the comprehensive plan. The approval process for a PUD are outline in CCC 40.520.080 (F) as follows:

Approval Criterion 1:

"That the site of the proposed use is adequate in size and shape to accommodate the proposed use and all setbacks, spaces, walls and fences, parking, loading, landscaping, and other features as required by this title, to ensure that the proposed use is compatible with the neighborhood land uses."

Finding 2

The site is approximately 9.37 acres in area. The site is adequate in size to accommodate the proposed housing development, and provide the applicable exaction for setbacks, streets, spaces, landscaping and fences. Table 2 provides a summary of the proposal.

Table 2: ROW, Critical Areas, and Density Calculation.

| Zone | Acres (gross) | ROW (in acres) | Critical Areas | Acres (net) | Density ¹ | Density (proposed) |
|-------|------------------|-------------------|-------------------|----------------|----------------------|-----------------------|
| R1-10 | 9.37 | 1.1 | 2.99 | 8.27 | 23 - 36 | 32 |

Staff finds as follows:

- a. Table 2 shows that of the 9.37 acres, the applicant is dedicating approximately 1.1 acres as public right-of-way and private road easements, leaving a remainder 8.27 acres that could be subdivided into a minimum of 23 lots (each approximately 15,000 square feet in area) or a maximum of 36 lots (each 10,000 square feet in area). The applicant is proposing 32 single lots.

Staff finds that the proposed number of lots complies with applicable standards in Table 40.220-010-2. The 8.37 acres also include critical areas (wetlands, habitat, geologic hazard areas) covering approximately 2.99 acres, which are regulated by other county ordinances that preclude development in the wetlands, habitat, and geologic hazard areas. Therefore, the actual acreage that is being subdivided into 32 lots is approximately 5.28 acres, which has resulted in the creation of lots that are smaller in area than would normally be permitted in the R1-10 district. Therefore, some of the proposed lots abutting Whipple Creek Estates to the west

¹ The density for a PUD is calculated based on the gross acre of the site minus any public right-of-way, private road easements, to street tracts.

are substantially less in size than lots in that subdivision, even though the proposed housing types (i. e. single family dwelling) is similar.

- b. Staff finds that the proposed housing development can comply with the applicable lot setbacks, lot coverage and building height standards in the R1-10 district per Table 40.220.010-3. A note shall be placed on the final plat stating that the development shall to comply with the development standards regarding setbacks, lot coverage and building height standards in the R1-10 district, except specifically modified as follows:

- "1. The front yard setback shall be 10 feet measured from the property line;
- "2. The garage setback shall be 18 feet measured from the property line;
- "3. The side yard setback shall be 4 feet (for a total of 8 feet) and 1 foot eaves overhang is permissible);
- "4. The side street setback shall be 10 feet measured from the property line.
- "5. To provide adequate transition, the rear yard setback for Lots 8 through 12, 13, and 15, 16 and 17 shall be 10 feet. For all other Lots, the rear yard setback shall be 5 feet; and,
- "6. Lots 1 through Lot 7 are through lots; therefore, the rear yard setback shall be 10 feet. Lots 1 through Lot 7 shall not be approved to take access for ingress and egress from NE 149th Street."

Approval Criterion 2:

"That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed uses. Adequate public utilities are available to serve the proposal."

Finding 3

The applicant is proposes to construct NE 6th Avenue as a public roadway. NE 6th Avenue will intersect another public roadway, NE 150th Street, which is being extended easterly from Whipple Creek Estates into the development site. NE 150th Street will terminate with a cul-de-sac as shown in the proposed plat. A 20 foot wide access and utility easement with a 5 foot pedestrian walkway (for a total of 25 feet) will provide access to Lot 21, 22, 23, and 24. The applicant will need to redesign the cul-de-sac to provide full access for Lot 24 through the private access and utility easement. The plat note provided by the applicant on the preliminary plat does not indicate that Lot 24 is taking access from the access and utility easement. (See Exhibit 5, Sheet 3 of 5) (See Condition D-1a)

The development will be connected to public water provided by Clark Public Utilities and public sewer services provided by Clark Regional Wastewater District. Utility reviews from utility purveyors indicate that adequate water and sewer services are available in the area to support the development. Staff finds and concludes that this criterion is met.

Approval Criterion 3:

"That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof."

Finding 4

The county received comments from the neighbors and most of the neighbors who wrote reside in Whipple Creek Estates, a residential development immediately abutting this

development site to the west. While not opposed to the proposed housing development, the neighbors state that some of the lots abutting Whipple Creek Estates housing development are less than 50 percent of the minimum lot area that is permitted in the R1-10 zoning district; and therefore, are much smaller than the lots in Whipple Creek Estates. The neighbors state that the lots in Noble Meadows subdivision constitutes a down zoning of the property and that built as proposed, the resulting development will adversely impact their property values.

Staff finds that the maximum lot area proposed in Whipple Creek is 6,819 square feet and the minimum lot area proposed under this development is 4,486 square feet with an average maximum lot area of 5,101 square feet. The PUD concept, as states in CCC 40.520.080, is to provide flexible design and creative site planning in conformity with the county's comprehensive land use plan. The code does not provide an index of flexible design or an index of creative site planning. Flexible design and creative site planning are important components of a PUD development, which the developer must propose. If there is an abutting area that is fully developed with standard lots and housing (as is the case with Whipple Creek Estates), what type of flexible creative design can Noble Meadow PUD provide?

Staff finds that Noble Meadows can provide a flexible design that adapts a transition design concept whereby lots abutting Whipple Creek Estates are approximately 7,500 square feet or 75 percent of the minimum lot area in the R1-10 zoning would be creative and desirable. The smaller lots can be dispersed within the the development site.²

Staff finds further that the applicant is providing landscaping comprising a row of sight obscuring aborvitae hedgerow to provide screenig between the development site and Whipple Creek Estates. Landscaping is a requirement in the applicable section of the PUD code but it is not the only element which makes a PUD conform with the county's comprehensive plan policies. Therefore, prior to final plat recording, the aplicant must redesign the PUD by creating lots abutting Whipple Creek Estates subdivision that have a minimum lot area of 7,500 square feet. The lots with smaller areas shall be dispersed internally within the PUD development site. (See Condition D-1b)

Approval Criterion 4:

"That the establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, or welfare of persons residing or working in the neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in the neighborhood; nor shall the use be inconsistent with the character of the neighborhood or contrary to its orderly development."

² In two previous development proposals (a PUD, and a Rezone request), the developers had proposed lot areas that were smaller than those of the existing developments abutting the project site. T he examiner rule that lots abutting existing development should be designed to be 75 percent substandard. It is not clear to staff whether the hearings examiner's final order set precedents fro other similar development proposals to follow. [See PLD2004-00081 (The Woodlands PUD), and CPZ2006-00032, PLD2006-00045 (Phoenician Rezone and Subdivision) files for details].

Finding 5

The proposed housing development, when completed, will not be detrimental to the health, safety and welfare to the residents in the PUD or the neighborhood at large. The PUD will reserve a large acreage of approximately 2.99+ acres as open space with trails and a grass-play area that will provide residents opportunities for passive and active recreation. The open space area also includes wetland and habitat areas that will be preserved from development in perpetuity. Staff finds and concludes that the proposed trail and play area will enhance a healthy lifestyle the residents. Prior to final plat recording, the applicant must establish a home owners' association to maintain the open space, landscaping in conformance with the standards contained in CCC 40.520.080 (E) (1) (c) (4) (a).

Prior to final plat recording the applicant shall provide covenants, conditions and restrictions to be approved as to form by the prosecuting attorney's office creating a home owners' association for the long term maintenance of the open space, trails and other recreation facilities provided in this PUD. (See Condition D-1c)

Prior to final construction plans approval, the applicant shall provide a final landscape plan for common areas and the trails, including recreation areas and equipment, and landscaping. The final landscaping plan shall be reviewed by the Development Services planner during the final construction plan review. (See Condition A-8)

Approval Criterion 5:

"That the proposal includes unique or innovative design concepts developed to further specific policies of the comprehensive plan."

Finding 6

The plat shows that the applicant will preserve critical areas; the wetlands, habitat, and geologic hazard areas from development. These areas will be maintained by a home owners association for enjoyment of future generations. The plat also contains different lot sizes, which will provide affordable housing for variety of income groups in Clark County. The applicant is also providing street trees to beautify the area as part of the subdivision design. Staff finds that with some minor modifications, such as providing larger lots abutting Whipple Creek Estates (as discussed in Finding 4), and transitioning to smaller lots towards the east, the design would improve the PUD design and setback. (See Condition D-1b)

Conclusion (Land Use):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

ARCHAEOLOGY:

The applicant has submitted an archaeological pre-determination to the State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application.

The DAHP concurs with the recommendation of the pre-determination that no additional studies are necessary; however, a note on the final construction plans will require that if

resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. (See Conditions A-1a and D-6b)

Conclusion (Archaeology):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the archaeology requirements of the Clark County Code.

HABITAT:

See Attachment A - Environmental Services Report.

Conclusion (Habitat):

Environmental Services concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets the Habitat requirements of the Clark County Code.

WETLAND:

See Attachments A - Environmental Services Report.

Conclusion (Wetland):

Environmental Services concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets the Wetland requirements of the Clark County Code.

GEO-HAZARD:

See Attachment B - Engineering Services Report.

Conclusion (Geo-Hazard):

Engineering Services concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets the Geo-Hazard requirements of the Clark County Code.

TRANSPORTATION:

See Attachment B - Engineering Services Report

Conclusion (Transportation):

Engineering Services concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets the Transportation requirements of the Clark County Code.

Conclusion (Road Modification):

Engineering Services concludes that the proposed road modification meets the minimum approval criteria.

TRANSPORTATION CONCURRENCY:

See Attachment C – Public Works, Transportation Concurrency Report.

Conclusion (Transportation Concurrency):

Public Work Transportation Concurrency staff concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets the Transportation concurrency requirements of the Clark County Code.

STORMWATER:

See Attachment B - Engineering Services Report.

Conclusion:

Public Works, Environmental Services concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets the Stormwater requirements of the Clark County Code.

FIRE PROTECTION:**Finding 1 – Fire Marshal Review**

This application was reviewed by Tom Scott in the Fire Marshal's Office. Tom can be reached at (360) 397-2375 x4095 or 3323. Information can be faxed to Tom at (360) 759-6063. Where there are difficulties in meeting these conditions or if additional information is required, contact Tom in the Fire Marshal's office immediately.

Finding 2 – Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Condition B-1c)

Finding 3 – Fire Flow

Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch (psi) for 60 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is available at the site is estimated to exceed 1,000 gpm. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (See Condition B-1d)

Finding 4 – Fire Hydrants

Fire hydrants are required for this application. The indicated spacing of existing fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet. (See Condition D-2a)

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District 6 at 360-576-1195 to arrange for location approval. (See Condition D-2a)

Finding 5 - Fire Apparatus Access

The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Condition D-2b)

Finding 6 - Fire Apparatus Turnarounds

A fire apparatus turnaround is required; and as indicated complies with the Clark County Road Standard. Therefore, no additional condition is required.

Finding 7 – No Parking Sign

Parallel parking is prohibited on streets that are less than twenty-four (24) feet wide. Streets that are less than twenty-four (24) feet wide shall be posted "NO PARKING". (See Condition F-2a)

Conclusion (Fire Protection):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

WATER & SEWER SERVICE:

Finding 1

The Clark Public Utilities provides potable water and Clark Regional Wastewater District sewer service in the area. Utility reviews from the utility purveyors indicate that adequate services exist in the area to serve this development. The applicant will need to make the necessary improvements to connect this development to potable water and sewer services provided by Clark Public Utilities and Clark Regional Wastewater District, respectively, prior to final construction review. (See Condition A-9a)

Finding 2

Submittal of a "Health Department Evaluation Letter" is required as part of the Final Construction Plan Review application. If the Evaluation Letter specifies that an acceptable "Health Department Final Approval Letter" must be submitted, the Evaluation Letter will specify the timing of when the Final Approval letter must be submitted to the county (e.g., at Final Construction Plan Review, Final Plat Review or Prior to Occupancy). The Health Department Evaluation Letter will serve as confirmation that the Health Department conducted an evaluation of the site to determine if existing wells or septic systems are on the site, and whether any structures on the site have been/are hooked up to water and/or sewer. The Health Department Final Approval Letter will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by the Health Department. (See Condition A-9b)

Conclusion (Water & Sewer Service):

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the water and sewer service requirements of the Clark County Code.

IMPACT FEES:

Finding 1

The site is located in Parks Impact Fee (PIF) District 10, Vancouver School District Impact Fee (SIF) and Mount Vista Traffic Impact Fee (TIF) district. This development will be assessed impact fees for Parks Improvement District 10, Mount Vista Traffic Impact Fee District and School Impact Fees for Vancouver School District as follows:

The following note shall be placed on the final plat stating that:

"In accordance with CCC 40.610, park, school and traffic impact fees shall be assessed on 17 of the 18 lots in this subdivision as follows:

1. \$1,534.00 PIF (made up of \$1,094.00 acquisition fee, and \$440.00 development fee) per new single-family dwelling in Park District 10;
2. \$1,112.00 SIF per new single-family dwelling in the Vancouver School District; and,

3. \$5,244.37 TIF per new town home lot in Mount Vista Traffic Impact fee district (made up of \$1,870.53 Local Fees and \$3,473.84 Regional Fees).

"The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedules." (See Conditions D-3f, E-1)

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval); or,
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (DNS): As lead agency, the county has determined that the requirements for environmental analysis, protection, and mitigation measures are adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws rules, as provided by RCW 43.21.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. The proposal may include mitigation under applicable codes and the project review. This decision was made after review of a completed environmental checklist and other information on file with the County.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on February 18, 2010, is hereby final.

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Community Development Department within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$1,493**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner is final unless there is:

- A motion is filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 251.160; or,
- An appeal with Clark County Superior Court.

Staff Contact Person: Michael Uduk, (360) 397-2375, ext. 4385

Responsible Official: Michael V. Butts

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit 5), and the findings and conclusions stated above, staff recommends the Hearings Examiner **APPROVE** this request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

A Final Construction Plan Review for Land Division Review & Approval Authority: Development Engineering

Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

A-1 Final Construction Plan:

The applicant shall submit and obtain County approval of a final construction plan in conformance to CCC 40.350 and the following conditions of approval:

a. Archaeology

1. A note shall be placed on the face of the final construction plans as follows:
"If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

b. Wetland and Habitat Plan:

1. The applicant shall demonstrate that all proposed lots and construction activities, except exempt trails are located outside the Biodiversity Areas and Corridors Priority Habitat and Species area as identified by the drip line of the existing mature forest canopy on the site (Habitat Finding 2).
2. The applicant shall provide a revised monitoring and maintenance plan for the Habitat Mitigation that limits the monitoring period for the mitigation to 3 years using the proposed year 3 performance standards for invasive species coverage and plant survivorship (Habitat Finding 5).

A-2 Final Transportation Plan/On-Site:

The applicant shall submit and obtain County approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall propose a sidewalk along the frontage of NE 149th Street that is at least 6 feet wide per standard detail #12.
- b. The asphalt and base rock thicknesses for the proposed partial width roadway that industrial vehicles will ultimately access on their way to and from NE 149th Street, shall be built to an industrial section standard per Standard Detail drawings #B22.
- c. Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall have a minimum separation of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line.

- d. The applicant shall comply with the sight distance requirements of CCC 40.350.030(B)(8). The obstructions must be removed from the sight distance triangle in order to achieve the minimum sight distance requirement of 350 feet to the east of the proposed intersection with NE 149th Street.

A-3 Final Transportation Plan/Off Site (Concurrency):

- a. None

A-4 Transportation:

- a. Signing and Striping Plan: The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing County Road Operations to perform any signing and pavement striping required within the County right-of-way. This plan and work order shall be approved by the Department of Public Works prior to final plat or final site plan approval.
- b. Traffic Control Plan: Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-5 Final Stormwater Plan:

The applicant shall submit and obtain County approval of a final stormwater plan for on and off-site facilities (as applicable), designed in conformance to CCC 40.380 and the following conditions of approval:

- a. Per CCC 40.385.020(C)(1)(a), no new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.
- b. The final engineering plan shall include a detailed design for the individual downspout infiltration systems. Modifications made to standard details D16.0 and D16.1 shall be stamped by a professional engineer that is proficient in geotechnical engineering.
- c. The applicant shall perform an offsite analysis per Chapter 9 of the Clark County Stormwater Manual.
- d. The applicant shall comply with the infiltration code requirements of CCC 40.385.020 (C)(3).
- e. The proposed level spreader shall be designed per standard detail #D11.4.

A-6 Erosion Control Plan:

- a. The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.380.

A-7 Geologic Hazard Areas:

- a. The proposed project shall implement the recommendations identified in the preliminary geotechnical report unless further studies present new or different facts.
- b. A building permit is required for retaining walls greater than 4 feet tall or when the wall is intended to support unbalanced fill or a surcharge. All retaining walls shall be shown in sufficient detail on the engineering plans for staff to assess their impact on adjacent roads, structures, and public and private utilities.

A-8 Final Landscape Plan:

The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (ref: CCC 40.320). The landscape plan shall include landscaping within the public Rights-of-Ways and on-site. For all Planned Unit Developments, the final landscape plan shall include common area plans including trails, recreation areas and equipment, landscaping.

- a. The applicant shall provide a final landscape plan for common area and the trails including recreation areas and equipment, landscaping. The final landscaping plan shall be reviewed by the Development Services planner during the final construction plan review. (See Land Use Finding 5)

A-9 Health Department Review:

- a. The applicant shall make the necessary improvements to connect this development to potable water and sewer services provided by Clark Public Utilities and Clark Regional Wastewater District, respectively, prior to final construction review. (See Water and Sewer Finding 1)
- b. Submittal of a "Health Department Project Evaluation Letter" is required as part of the Final Construction Plan Review or early grading application. If the Evaluation Letter specifies that certain actions are required, the Evaluation Letter will specify the timing of when those activities must be completed (e.g., prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy), and approved by the Health Department. (See Water and Sewer Finding 1)

A-10 Fire Marshal Requirements:

(See Conditions B-1c, B-1d, D-2a, D-2b and F-2a)

A-11 Other Documents Required:

The following documents shall be submitted with the Final Construction Plan:

- a. Developer's Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's

Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

A-12 Excavation and Grading:

Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

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| B | Prior to Construction of Development Review & Approval Authority: Development Inspection |
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Prior to construction, the following conditions shall be met:

B-1 Pre-Construction Conference:

- a. Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.
- b. Wetlands and Buffers: Permanent physical demarcation of the boundaries in a manner approved by the Development Services Manager (i.e. fencing, hedgerows, berms etc.) and posting of approved signage on each lot or every 100 ft. of the boundary, whichever is less. (Standard Condition)
- c. Fire Marshal Requirements: Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. (See Fire Protection Finding 2)
- d. Fire marshal Requirements: Fire flow in the amount of 1,000 gallons per minute supplied at 20 pounds per square inch (psi) for 60 minutes duration is required for this application. Information from the water purveyor indicates that the required fire flow is available at the site is estimated to exceed 1,000 gpm. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. (See Fire Protection Finding 3)

B-2 Erosion Control:

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control:

Erosion control facilities shall not be removed without County approval.

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| C | Provisional Acceptance of Development Review & Approval Authority: Development Inspection |
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Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/land division plan and the following conditions of approval:

C-1 Stormwater:

In accordance with CCC 40.380.020(C)(3)(i), before acceptance of any infiltration facility by the county, the completed facility must be tested and monitored to demonstrate that the facility performs as designed. If the tested coefficient of permeability determined at the time of construction is at least ninety-five percent (95%) of the uncorrected coefficient of permeability used to determine the design rate, construction shall be allowed to proceed. If the tested rate does not meet this requirement, the applicant shall submit an additional testing plan to Clark County that follows the requirements in Chapter 2 of the Stormwater Manual. This plan shall address steps to correct the problem, including additional testing and/or resizing of the facility to ensure that the system complies with the provisions of this chapter. (See Stormwater Finding 2)

C-4 Verification of the Installation of Required Landscape

The applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan. (See condition A-8)

C-5 Wetlands and Buffers:

Permanent physical demarcation of the boundaries in a manner approved by the Development Services Manager (i.e. fencing, hedgerows, berms etc.) and posting of approved signage on each lot or every 100 ft of the boundary, whichever is less. (Standard Condition)

1. Wetlands:

- a. The wetland and buffer boundaries shall be delineated on the face of the Final Plat (Standard Condition).
- b. The applicant shall provide a signed conservation covenant in a form approved by the Responsible Official that runs with the land and requires that the wetlands and buffers remain in natural state (Standard Condition).

2. Habitat:

- a. The applicant shall either implement the approved habitat mitigation plan or provide a financial assurance sufficient to complete the mitigation to the County in a form approved by the Responsible Official (Habitat Finding 4).
- b. The applicant shall provide a signed conservation covenant in a form approved by the Responsible Official that runs with the land and requires that the existing, added, and enhanced habitat areas on the site to be monitored and maintained as proposed in the approved mitigation plan and to otherwise remain in a natural state (Habitat Finding 4).

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| D | Final Plat Review & Recording Review & Approval Authority: Development Engineering |
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Prior to final plat approval and recording, the following conditions shall be met:

D-1 Land Use

- a. The applicant shall redesign the cul-de-sac to provide full access for Lot 24 through the private access and utility easement. (See Land Use Finding 3)
- b. Prior to final plat recording, the applicant must redesign the PUD by creating lots abutting Whipple Creek Estates subdivision that have a minimum lot area of 7,500 square feet. The lots with smaller areas shall be dispersed internally within the PUD development site. (See Land Use Finding 4)
- c. Prior to final plat recording the applicant shall provide covenants, conditions and restrictions to be approved as to form by the prosecuting attorney's office creating a home owners' association for the long term maintenance of the open space, trails and other recreation facilities provided in this PUD. (See Land Use Finding 5)

D-2 Fire Marshal Requirements:

- a. Fire hydrants are required for this application. The indicated spacing of existing fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet. (See Fire Protection Finding 4)

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact Fire District 6 at 360-576-1195 to arrange for location approval. (See Fire Protection Finding 4)

- b. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. (See Fire Protection Finding 5)

D-3 Developer Covenant:

A "Developer Covenant to Clark County" shall be submitted for recording to include the following:

- a. Private Road Maintenance Covenant: A private road maintenance covenant shall be submitted to the responsible official for approval and recorded with the County Auditor. The covenant shall set out the terms and conditions of responsibility for maintenance, maintenance methods, standards, distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements, and other considerations, as required under 40.350.030(C)(4)(g).

- b. Private Roads: "Clark County has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this development. Any private access street shall remain a private street, unless it is upgraded to meet applicable current road standards at the expense of the developer or abutting lot owners to include hard surface paving and is accepted by the county for public ownership and maintenance."
- c. Critical Aquifer Recharge Areas: "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."
- d. Erosion Control - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."
- e. Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. Final plats shall specify the party(s) responsible for long-term maintenance of stormwater facilities within the Developer Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.
- f. Impact Fees: "In accordance with CCC 40.610, the School, Park and Traffic Impact Fees for each dwelling in this subdivision are: \$1,112.00 (Vancouver School District), \$1,534.00 (\$1,094.00 - Acquisition; \$440.00 - Development for Park District #10), and \$ 5,244.37 (\$1,870.53 – Local; \$3,473.84 Regional for Mount TIF District), respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated [REDACTED], and expiring on [REDACTED]. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-4 Addressing:

At the time of final plat, existing residence(s) that will remain may be subject to an address change. Addressing will be determined based on point of access.

D-5 Verification of the Installation of Required Landscape:

Prior to approval of a final plat, the applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan.

D-6 Plat Notes:

The following notes shall be placed on the final plat:

- a. The proposed housing development shall comply with the applicable development standards in the R1-10 zoning district, except the standards modified as follows:
 - "1. The front yard setback shall be 10 feet measured from the property line;
 - "2. The garage setback shall be 18 feet measured from the property line;
 - "3. The side yard setback shall be 4 feet (for a total of 8 feet) and 1 foot eaves overhang is permissible);
 - "4. The side street setback shall be 10 feet measured from the property line.
 - "5. To provide adequate transition, the rear yard setback for Lots 8 through 12, 13, and 15, 16 and 17 shall be 10 feet. For all other Lots, the rear yard setback shall be 5 feet; and,
 - "6. Lots 1 through Lot 7 are through lots; therefore, the rear yard setback shall be 10 feet. Lots 1 through Lot 7 shall not be approved to take access for ingress and egress from NE 149th Street." (See Land Use Finding 2b)
- b. Mobile Homes: "Mobile homes are permitted on all lots subject to the requirements of CCC 40.260.130."
- c. Archaeological: "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."
- d. Building Envelope Note: If any development activity or ground disturbance occurs outside of the building envelopes represented on the final plat, an additional archaeological predetermination survey will be required for the area impacted.
- e. Wetland and Habitat Covenants: "The Clark County Wetland Protection Ordinance (Clark County Code Chapter 40.450) and Habitat Conservation Ordinance (Clark County Code Chapter 40.440) require wetlands, wetland buffers and habitat conservation areas to be maintained in a natural state. Refer to the Conservation Covenant(s) recorded in conjunction with this plat for limitations on the maintenance and use of the wetland, wetland buffer, and habitat conservation areas identified on the face of this plat." (Standard Condition)
- f. Wetland Development Envelopes: "No clearing or development activities shall occur outside the development envelopes shown on the face of this plat unless the activities are exempt from, or approved under, the provisions of the Clark

County Wetland Protection Ordinance (CCC 40.450). Other building setbacks may apply within the development envelopes”

- g. Sidewalks: “Prior to issuance of occupancy permits, sidewalks shall be constructed along all the respective lot frontages.”
- h. Utilities: “An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets.”
- i. Driveways: “No direct access is allowed onto the following streets: NE 149th Street.”
- j. Driveways: “All residential driveway approaches entering public roads are required to comply with CCC 40.350.”
- k. Privately Owned Stormwater Facilities: “The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: _____.”
- l. Geologic Hazard: The applicant’s geotechnical engineer shall establish the setback line from top of steep slope to the building envelope. The setback line shall be delineated on the final plat.

E Building Permits

Review & Approval Authority: Customer Service

Prior to issuance of a building permit, the following conditions shall be met:

E-1 Impact Fees:

The applicant shall pay impact fees for the proposed 32 single family lots in this PUD subdivision as follows:

- a. \$1,112.00 per dwelling for School Impact Fees (Vancouver School District).
- b. \$1,534.00 per dwelling for Park Impact Fees (\$1,094.00 – Acquisition; \$440.00 – Development for Park District #10);
- c. \$5,244.37 per dwelling for Traffic Impact Fees (made up of \$1,870.53 Local Fees and \$3,473.84 Regional fees for Mount Vista TIF District).

If the building permit application is made more than three years following the date of preliminary land division plan approval, the impact fees shall be recalculated according to the then-current rate.

E-2 Land Use and Critical Areas:

Habitat:

Prior to issuance of the first building permit on this plat, the applicant shall pay all required monitoring fees as required under CCC Title 6, Table 6.110A.010-1, Note 11 (Standard Condition)

E-3 Engineering Requirements:

Geologic Hazard Areas:

- a. Any proposed construction beyond the setback of the area of potential instability, as delineated on the final plat, requires approval of a geotechnical analysis report prepared by a professional engineer licensed in the State of Washington. (See Geologic Hazard Finding 1)

Stormwater:

- a. The individual downspout infiltration systems shall be constructed in accordance with the design details shown on the final construction plans.

F Occupancy Permits

Review & Approval Authority: Building

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Land Use and Critical Areas:

- a. Verification of the Installation of Required Individual Street Trees:

Where street trees are required on individual residential lots, the applicant shall provide verification in accordance with Section 40.320.030(B) that the required landscape has been installed in accordance with the approved landscape plan. (See condition A-8)

F-2 Fire Marshal Requirements:

- a. Parallel parking is prohibited on streets that are less than twenty-four (24) feet wide. Streets that are less than twenty-four (24) feet wide shall be posted "NO PARKING". (See Fire Protection Finding 7)

G Development Review Timelines & Advisory Information

Review & Approval Authority: None – Advisory to Applicant

G-1 Land Division:

Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater:

A permit from the Department of Ecology (DOE) is required if:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion [less than one acre] of the larger project

planned over time. The applicant shall Contact the DOE for further information.

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| H | Post Development Requirements Review & Approval Authority: As specified below |
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H-1 None

Note:

Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a "hearing extension" or "open record" and shall pay the associated fee.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

Motion for Reconsideration:

Any party of record to the proceeding before the hearings examiner may file with the responsible official a motion for reconsideration of an examiner's decision within fourteen (14) calendar days of written notice of the decision. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The motion must be accompanied by the applicable fee and identify the specific authority within the Code or other applicable laws, and/or specific evidence, in support of reconsideration. A motion may be granted for any one of the following causes that materially affects their rights of the moving party:

- a. Procedural irregularity or error, clarification, or scrivener's error, for which not fee will be charged;
- b. Newly discovered evidence, which the moving party could not with reasonable diligence have timely discovered and produced for consideration by the examiners;
- c. The decision is not supported by substantial evidence in the record; or,
- d. The decision is contrary to law.

Any party of record may file a written response to the motion if filed within fourteen (14) calendar days of filing a motion for reconsideration.

The examiner will issue a decision on the motion for reconsideration within twenty-eight (28) calendar days of filing of a motion for reconsideration.

Appeal Rights:

Any party of record to the proceeding before the hearing examiner may appeal any aspect of the Hearing Examiner's decision, except the SEPA determination (i.e., procedural issues), to the Superior Court.

Attachments:

- Attachment A: Environmental Services Report
- Attachment B: Engineering Services Report
- Attachment C: Transportation Concurrency Report
- Copy of Proposed Preliminary Plan

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Public Service Center
Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at: <http://www.clark.wa.gov>

Final Decision Attachment

For Employee Use Only – This is not part of the decision, but rather an attachment for processing purposes only.

| Final Plans Required with Construction Plans | YES | NO |
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| Final Landscape Plan: | X | |
| -On-site landscape plan | X | |
| -Right-of-way landscape plan* | X | |
| Final Wetland Plan | X | |
| Final Habitat Plan | X | |

*Final right-of-way landscape plan required for projects fronting on arterial and collector streets.

Note: If final plan submittals are required, list each plan under Case Notes in Permit Plan for future reference.

Building Setbacks Established at Preliminary Plan Review

Project Name: Noble Meadows PUD Subdivision

Case Number: PLD2010-00001; PUD2010-00001; SEP2010-00002; WET2010-00001; GEO2010-00002; HAB2010-00002

The following minimum building setback requirements are based upon the zoning in place at the time, or setbacks as otherwise approved through preliminary plan review of the above listed project.

Setback Requirements by Lot

| Lot Number(s) | Front Setback | Garage Setback | Rear Setback | Side Setback | Street-side Setback |
|---------------------|---------------|----------------|--------------|--------------|---------------------|
| 1 – 7 | 10 feet | 18 feet | 10 feet | 4 feet | 10 feet |
| 8 – 12, 13, 15 - 17 | 10 feet | 18 feet | 10 feet | 4 feet | 10 feet |
| 8 - 32 | 10 feet | 18 feet | 5 feet | 4 feet | 10 feet |

• Attachments A: Environmental Services Report

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

Wetland and Habitat Review (CCC 40.450)
Form DS1587



Project Name: NOBLE MEADOWS PLANNED UNIT DEVELOPMENT

Case Number: PLD2010-00001; PUD2010-00001; SEP2010-00002; WET2010-00001; GEO2010-00002; HAB2010-00002

Location: 616 NE 149TH Street

Request: The applicant is requesting preliminary plat approval to subdivide approximately 9.37 acres into 32 single-family residential lots using the planned unit development (PUD) standards, CCC 40.520.080, in the R1-10 zoning district.

Applicant: Sterling Design, Inc.
Attn.: Joel Stirling, P. E.
2208 E. Evergreen Blvd, Suite A
Vancouver, WA 98661
(360)759-1794; (360)759-4983
mail@sterling-design.biz; Joel@sterling-design.biz

Contact Person: (Same as Applicant)

Property Owner: Stan Firestone 50% Int.
P.O. Box 61928
Vancouver, WA 98666

Parcel Number(s): 185410-000

Staff Biologist: Brent Davis

Vesting Date January 28, 2010

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| Major Issues, Analysis & Conclusions |
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Only major issues that require conditions and/or revisions to the proposed plans to ensure compliance with the requirements of the Habitat Conservation (CCC 40.440) and Wetland Protection (CCC 40.450) Ordinances are discussed in detail below:

Habitat Conservation (CCC 40.440)

Finding 1

The site contains Riparian Priority Habitat associated with a Type F (fish bearing) stream identified an unnamed tributary of Whipple Creek. The applicant has mapped the riparian area correctly and staff concurs with the assessment of riparian habitat functions in the December 14, 2009 Habitat Buffer Mitigation Reduction Plan prepared by MRM Consulting (Exhibit 6, Tab 22C).

Finding 2

The site contains a Biodiversity Areas and Corridors Priority Habitat and Species (PHS) area defined by the drip line of the mature forest associated with tributary of Whipple Creek. The applicant hasn't mapped or characterized this habitat type on the site, but has mapped a "tree line" on the preliminary plans (Exhibit 5, Sheet 2) and proposes to avoid it. If the tree line on the plans does not encompass the drip line of the mature forest, then the Final Plat will need to be revised to avoid the Biodiversity Areas and Corridors PHS area.

Finding 3

There is a single Oregon White Oak tree located within the Right-of-Way of NE 149th Street that will be removed to accommodate frontage improvements. The applicant did not identify this oak in the original habitat assessment, but has subsequently provided an arborist report and hazard tree analysis based on the location of the tree to the existing roadway and safety standards County's transportation code (CCC 40.350.030.C) (see Exhibit 16). Staff concludes that although the applicant hasn't provided a habitat function assessment of the oak tree, they have met their burden of proof in demonstrating that removal of the oak tree complies with the hazard tree exemption Table 40.440.010-1, therefore removal of the oak tree is not regulated under CCC 40.440. Furthermore, staff notes that this oak is a single tree isolated from other habitat areas by several hundred feet, is within 3 ft. of an existing road surface, and has historically been subjected to heavy pruning and limbing to protect overhead power lines. Therefore, in staff's analysis, the existing habitat function of the oak is severely limited and its removal, if regulated under CCC 40.440, would require little or no mitigation.

Finding 4

The applicant proposes to construct a portion of the stormwater facility and the associated outfall within the Riparian Habitat Conservation Zone. The proposed facility will require grading, construction of an armored overflow (riprap), installation of an underground pipe, and a concrete flow spreader within previously degraded habitat, dominated by mowed field grass and himalayan blackberry, in the outer 50% of the Riparian Area. The applicant proposes to mitigate for these impacts by managing invasive species and re-vegetating remaining open areas between the limits of the proposed lots and the existing forest vegetation with native trees and shrubs. Some of

this mitigation is will be enhancement of existing Riparian Habitat and some will be creation of additional enhanced Riparian Habitat (Internal Riparian Zone Averaging, CCC 40.440.020.C.3). Some of the enhancement will also occur in areas graded to create the stormwater facility. Staff has summarized the proposed mitigation plan as follows (Exhibit 15):

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| Permanent Riparian Impact area: | 0.11 ac. |
| Enhanced Riparian Addition areas | 0.20 ac. |
| Riparian Enhancement areas | 0.51 ac. |

The proposed Riparian Additions and Riparian Enhancement will replace the riparian functions lost by constructing the stormwater facility in the habitat area and the mitigation plan can meet the standards in CCC 40.440.020.A.2 if:

- a) All remaining and proposed mitigation areas are placed in a Habitat Conservation Covenant; and
- b) The mitigation is implemented or secured by a financial assurance prior to recording of the plat.

Finding 5

The applicant proposes a 10 year monitoring plan, however, given the extent of Internal Riparian Zone Averaging (nearly 2:1 replacement of permanently reduced Riparian Area), and the predominance of shrub species in the planting plan, a three year monitoring period will be sufficient to ensure that the mitigation is successful. The applicant needs to revise the monitoring plan accordingly prior to construction plan approval.

Finding 6

The proposed trails in the habitat areas meet the exemption for trails in Table 40.440.010-1.

Wetland Protection (CCC 40.450)

Finding 1

Staff completed and issued a wetland determination (WET2010-00001), on February 11, 2010 (Exhibit 14). The are Category III wetlands associated with the Whipple Creek tributary on the site that require an 80 ft. buffer for urban residential development and the proposed stormwater facility. The applicant proposes to avoid the wetlands and wetland buffers.

Finding 2

The proposed trails in the wetland buffers meet the exemption for trails in CCC 40.450.010.C.1.m.

Conclusion:

Based upon the development site characteristics and the proposed development plan, staff concludes that the proposed preliminary plat and Habitat Permit comply with the requirements of the Wetland Protection Ordinance PROVIDED that certain conditions (listed below) are met. Therefore, the requirements of the preliminary plan review criteria are satisfied.

• Attachment B: Engineering Services Report
**TYPE III DEVELOPMENT &
ENVIRONMENTAL REVIEW,
STAFF REPORT
& RECOMMENDATION**

(Engineering Review)

Form DS1301



Project Name: NOBLE MEADOWS PUD
Case Number: PLD2010-00001; PUD2010-00001
Staff Engineer: David Bottamini, PE
Report Issue Date: March 25, 2010
Vesting Date: January 28, 2010

Major Issues, Analysis & Conclusions

TRANSPORTATION:

Finding #1 – Pedestrian/Bicycle Circulation Plan

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with the provisions of Section CCC 40.350.010. The proposal meets the pedestrian circulation code.

Finding #2 – Road Cross-Circulation

The applicant has provided a cross-circulation plan. The applicant proposes to connect with existing NE 150th Street to the west and provide circulation to the east. Whipple Creek to the north will not allow for circulation in that direction. The project complies with the circulation plan requirements, section CCC 40.350.030(B)(2).

Finding #3 – Roads

NE 149th Street to the south is classified as an "Urban Collector", C-2. The project proposal includes right-of-way dedication and frontage improvements for NE 149th Street

including a half-width right-of-way of 30 feet, a half-width roadway of 19 feet, curb, gutter, and a detached minimum sidewalk width of 5 feet. The applicant shall propose a sidewalk that is at least 6 feet wide per standard detail #12. **(See Condition #A-2-a)**

The onsite proposed roads include a right-of-way width of 46 feet, a paved width of 28 feet, attached 5-foot sidewalks, curbs, and gutters. The onsite public roads provide standards that are consistent with an "Urban Local Residential Access" road and standard drawing number 14. The applicant has proposed an on-site "Urban Short Cul-de-sac" that meets the code requirements of standard detail #29. In addition, the applicant has proposed a private road that is to access lots #21, #22, #23, and #24.

The applicant has also proposed at least the required minimum improvements for the proposed partial width local access road to the north of the intersection with NE 149th Street. The asphalt and base rock thicknesses for this section of residential roadway that industrial vehicles will ultimately access on their way to and from NE 149th Street, shall be built to an industrial section standard. **(See Condition #A-2-b)**

Per CCC 40.350.030 (B)(4)(b)(1)(b), corner lot driveways shall have a minimum separation of 50 feet from the intersecting property lines or where this is impractical, the driveway may be located 5 feet from the property line away from the intersection or as a joint use driveway at this property line. **(See Condition # A-2-c)**

Finding #4 – Sight Distance

The applicant has submitted a sight distance analysis letter dated January 7, 2009. The applicant indicates vegetation must be removed in order to achieve the minimum sight distance requirement of 350 feet to the east of the proposed intersection with NE 149th Street.

The approval criteria for sight distances are found in CCC 40.350.030(B)(8). This section establishes minimum sight distances at intersections and driveways. Additional building setbacks may be required for corner lots in order to maintain adequate sight distance. The final engineering plans shall show sight distance triangles for all corner lots. Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveway approaches and intersections. **(See Condition # A-2-d)**

Conclusion (Transportation):

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the transportation requirements of the Clark County Code.

STORMWATER:

Finding #1 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.385 shall apply to all new development, redevelopment, and drainage projects consistent with the Stormwater Management Manual for Western Washington (SMMWW) as modified by CCC 40.385 and the county's stormwater manual. The project adds more than 5,000 square feet or more of new impervious surface and therefore the applicant shall comply with Minimum Requirements 1 through 10 for the new impervious surfaces per CCC 40.385.020(A)(4).

Finding #2 – Stormwater Proposal

The applicant has proposed to manage stormwater runoff through the use of a swale and a combination detention and infiltration system. Infiltration rates were found to be 3 to 5 inches per hour and the design infiltration rate is 0.51 inches per hour. The facilities will be privately owned and maintained. Additionally, individual private roof downspout infiltration systems have been proposed.

Finding #3 - Site Conditions and Stormwater Issues:

Per CCC 40.385.020(C)(1)(a), no new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. **(See Condition # A-5-a)**

The final engineering plan shall include a detailed design for the individual downspout infiltration systems. Modifications made to standard details D16.0 and D16.1 shall be stamped by a professional engineer that is proficient in geotechnical engineering. **(See Condition # A-4-b)**

The applicant shall perform an offsite analysis per Chapter 9 of the Clark County Stormwater Manual. **(See Condition # A-5-c)**

The applicant has proposed a facility that has been designed to incorporate infiltration as a means of stormwater disposal. As a result, the applicant shall comply with the infiltration code requirements of CCC 40.385.020 (C)(3). See page 3-39 (Detention Ponds in Infiltrative Soils) of Volume III of the Western Washington Stormwater Manual which refers to how detention/infiltration ponds are evaluated. Per CCC 40.385.020(C)(3)(c), infiltration receptor characterization shall include the installation of groundwater monitoring wells unless the highest groundwater level is demonstrated to be at least fifteen (15) feet below the proposed infiltration facility. These wells shall be installed and monitored during at least one (1) wet season within three (3) years prior to the date of final approval. **(See Condition # A-5-d)**

The applicant has proposed a concrete level spreader that shall be designed per standard detail #D11.4. **(See Condition # A-5-e)**

Conclusion (Stormwater):

Staff concludes that the proposed preliminary stormwater plan, subject to the conditions above, is feasible. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Geologic Hazard Area:

Finding #1 - Applicability:

All development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of CCC 40.430. In accordance with the county GIS mapping system, the proposed development is within 100 feet of slope instability and adjacent to a severe erosion hazard area. The provisions of CCC 40.430, therefore, apply to this development.

Finding #2 – Geologic Hazard Issues

The applicant submitted a preliminary geotechnical report that is dated October 15, 2008. The proposed project shall implement the recommendations identified in the preliminary geotechnical report unless further studies present new or different facts. (See **Conditions #A-7a**)

A building permit is required for retaining walls greater than 4 feet tall or when the wall is surcharged. All retaining walls shall be shown in sufficient detail on the engineering plans for staff to assess their impact on adjacent roads, structures, and public and private utilities. (See **Condition #A-7-b**)

Conclusion (Geologic Hazard Area)

Based upon the development site characteristics, the proposed geotechnical plan, the requirements of the County's geologic hazard area ordinance, and findings above, staff concludes that the proposed preliminary geotechnical engineering plan, subject to conditions identified above, is feasible.

• Attachment C: Transportation Concurrency Report

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW STAFF REPORT & RECOMMENDATION

(Concurrency Review)

Form DS1402A



Project Name: Noble Meadows PUD Subdivision

Case Number: PLD2010-00001

Staff Engineer: David Jardin

Report Issue Date: March 24, 2010

Vesting Date: January 28, 2010

Major Issues, Analysis & Conclusions

TRANSPORTATION CONCURRENCY:

Finding 1: Trip Generation

The applicant has submitted a traffic study that indicates that the proposed Noble Meadows PUD Subdivision will consist of 32 new detached single family homes. The applicant's traffic study has also estimated the weekday a.m. peak-hour trip generation at 24 new trips, while the p.m. peak-hour trip generation is estimated at 32 new trips using nationally accepted data published by the Institute of Transportation Engineers.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1). This site is located at 616 NE 149th Street.

Finding 2: Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards is not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The submitted traffic study indicates that NE 150th Street will be extended east from the Whipple Creek Estates Subdivision. The NE 150th Street extension, through the proposed development, will connect to the interior road system within the proposed development. Because NE 150th Street is an extension of an existing roadway, within an adjacent development, level of service was not estimated between the proposed new and old segments.

The study indicates that the proposed development will have direct access to NE 149th Street with the construction of a new public north-south road (NE 6th Avenue). NE 6th Avenue would be constructed as a ½ street improvement along the eastern property line. The applicant's study estimates, in the 2012 build out horizon, a level-of-service B in the AM and PM peak periods. Staff agrees with the applicant's findings.

Finding 3: Concurrency

The proposed development is required to meet the standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within 1 miles of the proposed development. Typically, the County's transportation model is used to determine what urban area developments are currently being reviewed, approved, or is under construction and in the vicinity of the proposed development. The traffic these developments generate is referred to as "*in-process traffic*" and will ultimately contribute to the same roadway facilities as the proposed development. This "*in-process traffic*" is used to evaluate and anticipate area growth and its impact on intersection and roadway operating levels with and without the proposed development, helping to determine if roadway mitigation necessary to reduce transportation impacts.

The "*in-process traffic*" information that can be obtained from the County's transportation model is from developments that generate 10 vehicle trips or more (10, or more, single family lots) in the PM peak hour travel time. Developments, in an urban area, that have fewer than 10 vehicle trips (less than 10 single family lots) in the PM peak hour travel time do not explicitly get shown in the County's model, but, are accounted for in a "*background growth rate*" (1% per year). This "*background growth rate*" is a conservative rate to capture the collective effect from all of the smaller developments in the immediate area.

Unsignalized Intersections

County Staff has performed an evaluation of the operating levels, travel speed and delay standards represented in the County's model. The County's model consists of the study intersections and corridors of regional significance in the development area yielding operating levels, travel speed and delay times, during both the am and pm peak hours. The modeling results indicate a LOS better than the minimum allowable LOS E for unsignalized intersections. County Staff has determined that this development will comply with adopted Concurrency standards for unsignalized intersections.

Signalized Intersections

The County's model evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the Concurrency Ordinance maximum of 240 seconds of delay in the build-out year. Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Concurrency Corridors

Evaluation of the concurrency corridor operating levels and travel speeds represented in the County's model yielded operating levels and travel speeds with an acceptable level of service.

Summary

The County has determined that this development will comply with the adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction with the required mitigation as outlined above.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- accident analysis, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 4: Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

The applicant's traffic study reviewed the site access for turn lane warrants and found that with the low traffic volumes, turn lanes would not be warranted at the studied intersection. County staff agrees with the traffic study findings.

Finding 6: Historical Accident Situation

The applicant's traffic study analyzed the accident history within the vicinity of the site. The intersection accident rates do not exceed thresholds that would warrant additional analysis. Therefore, further analysis *is not* required.

Finding 7: Sight Distance

Sight distance issues are addressed by Community Development; therefore, this issue will not be addressed here.

Conclusion

In summary, staff recommends approval of the development application, as proposed, subject to the conditions of approval stated below.

From: Butts, Michael
Sent: Tuesday, March 30, 2010 9:51 AM
To: Snell, Marty; Baird, Wendy; Davidson, Susan; Goddard, Travis;
Bazala, Jan; Boguslawski, Alan; Brooks, Terri; Daviau, Richard; Hsiao,
Rosie; Kirsher, Vicki; Merrill, Angie; Rice, Susan; Uduk, Michael;
Wiser, Sonja
Cc: Daniel Kearns (dan@reevekearns.com); Richard Forester
(forester@mediate.com); Joe Turner
Subject: FW: Storedahl - mining

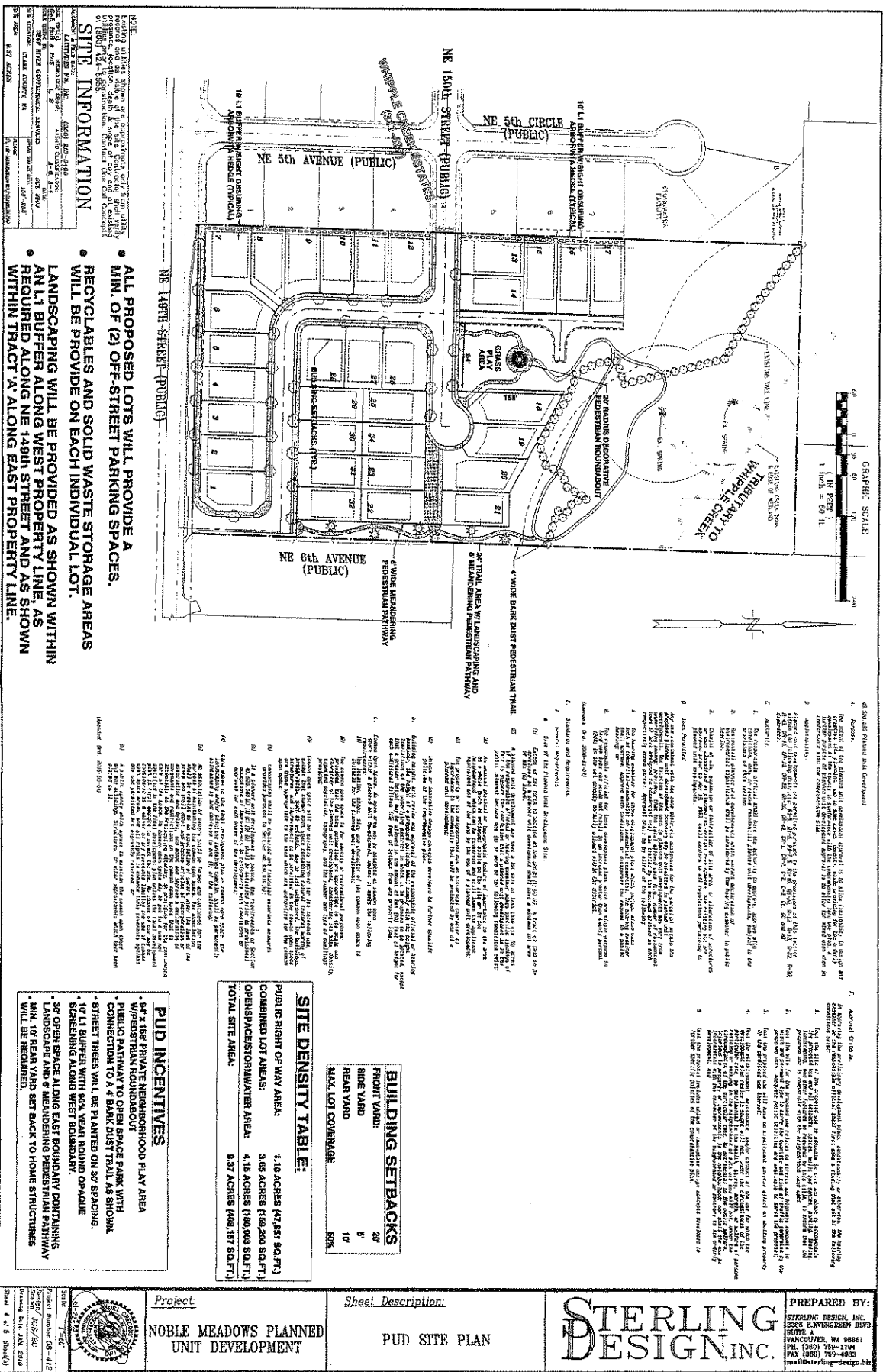
FYI - This determination is in response to a recent court decision that found the original federal FEIS & HCP for Storedahl inadequate. The county based its decision on this FEIS & HCP.

-----Original Message-----

From: Potter, Bronson
Sent: Tuesday, March 30, 2010 9:17 AM
To: Butts, Michael; Goddard, Travis
Cc: Cook, Christine
Subject: Storedahl - mining

You met with Chris Cook and me to discuss the impact of the federal district court decision invalidating the FEIS and ITP on county-issued permits. The federal court decision does not invalidate the county permits. The hearing examiner decision approving the permits was issued six years ago. All appeals to that decision have run their course and the court of appeals decision approving the hearing examiner decision is final. There isn't a process to re-open the challenge of the county permits.

The HE decision requires compliance with the HCP as written or amended. If Storedahl continues to seek an ITP, and amends the HCP to get the ITP, then Storedahl will have to comply with the amended HCP as a condition of the county permits.



NOTE: ALL PROPOSED LOTS WILL PROVIDE A MIN. OF (2) OFF-STREET PARKING SPACES. RECYCLABLES AND SOLID WASTE STORAGE AREAS WILL BE PROVIDED ON EACH INDIVIDUAL LOT. LANDSCAPING WILL BE PROVIDED AS SHOWN WITHIN AN LT BUFFER ALONG WEST PROPERTY LINE, AS REQUIRED ALONG NE 148th STREET AND AS SHOWN WITHIN TRACT A, ALONG EAST PROPERTY LINE.

PROJECT INFORMATION:
 PROJECT: NOBLE MEADOWS PLANNED UNIT DEVELOPMENT
 PREPARED BY: STERLING DESIGN, INC.
 DATE: 08-11-2010
 SHEET: 4 OF 8

- ALL PROPOSED LOTS WILL PROVIDE A MIN. OF (2) OFF-STREET PARKING SPACES.
- RECYCLABLES AND SOLID WASTE STORAGE AREAS WILL BE PROVIDED ON EACH INDIVIDUAL LOT.
- LANDSCAPING WILL BE PROVIDED AS SHOWN WITHIN AN LT BUFFER ALONG WEST PROPERTY LINE, AS REQUIRED ALONG NE 148th STREET AND AS SHOWN WITHIN TRACT A, ALONG EAST PROPERTY LINE.

1. Purpose: The purpose of this site plan is to show the layout of the proposed development, including the location of the proposed streets, lots, and other features, and to show the proposed landscaping and other improvements.

2. Assumptions: The assumptions made in the preparation of this site plan are that the proposed development will be constructed in accordance with the applicable laws and regulations, and that the proposed streets, lots, and other features will be constructed in accordance with the applicable laws and regulations.

3. Description of the Site: The site is located in the City of Vancouver, Washington, and is bounded by NE 150th Street to the north, NE 54th Avenue to the east, NE 148th Street to the south, and NE 6th Avenue to the west. The site is approximately 1.10 acres in size.

4. Description of the Proposed Development: The proposed development consists of 32 lots, each of which is approximately 0.034 acres in size. The lots are arranged in a grid pattern, with NE 54th Avenue running north-south and NE 148th Street running east-west. The lots are numbered 1 through 32, starting from the northwest corner and moving eastward, then southward.

5. Description of the Proposed Streets: The proposed streets include NE 54th Avenue, NE 148th Street, and NE 6th Avenue. NE 54th Avenue is a 40-foot wide street with a 10-foot wide sidewalk on each side. NE 148th Street is a 40-foot wide street with a 10-foot wide sidewalk on each side. NE 6th Avenue is a 40-foot wide street with a 10-foot wide sidewalk on each side.

6. Description of the Proposed Landscaping and Other Improvements: The proposed landscaping and other improvements include the installation of trees, shrubs, and other plants, and the installation of a playground, dog park, and walking paths.

| SITE DENSITY TABLE: | |
|-----------------------------|------------------------------|
| PUBLIC RIGHT OF WAY AREA: | 1.10 ACRES (47,581 SQ. FT.) |
| COMBINED LOT AREAS: | 3.65 ACRES (159,200 SQ. FT.) |
| OPEN SPACE/STORMWATER AREA: | 4.16 ACRES (180,960 SQ. FT.) |
| TOTAL SITE AREA: | 8.91 ACRES (387,741 SQ. FT.) |

| BUILDING SETBACKS | |
|--------------------|-----|
| FRONT YARD: | 20' |
| SIDE YARD: | 5' |
| REAR YARD: | 10' |
| MAX. LOT COVERAGE: | 80% |

| PUD INCENTIVES | |
|--|--|
| • 64' x 12' PRIVATE NEIGHBORHOOD PLAY AREA | |
| • PUBLIC PATHWAY TO OPEN SPACE PARK WITH CONNECTION TO A 4' BARK DIST. TRAIL, AS SHOWN. | |
| • STREET TREES WILL BE PLANTED ON 30' SPACING. | |
| • 30' OPEN SPACE ALONG EAST BOUNDARY CONTAINING LANDSCAPE AND 8' MEANDERING PEDESTRIAN PATHWAY | |
| • MIN. 10' REAR YARD SET BACK TO HOME STRUCTURES WILL BE REQUIRED. | |

HEARING EXAMINER EXHIBITS

Project Name NOBLE MEADOWS PLANNED UNIT DEVELOPMENT

Case Number PLD2010-00001; PUD2010-00001;

Hearing Date 4/22/10



| EXHIBIT NO. | DATE | SUBMITTED BY | DESCRIPTION |
|-------------|---------|--|---|
| 1 | | CC Development Services | Aerial Map |
| 2 | | CC Development Services | Vicinity Map |
| 3 | | CC Development Services | Zoning Map |
| 4 | | CC Development Services | Comprehensive Plan Map |
| 5 | 1/19/10 | Applicant: Sterling Design | Full Size Proposed Development Plans |
| 6 | 1/19/10 | Applicant: Sterling Design | Application Packet: Cover Sheet, Application Form, Pre-App Rpt, GIS Packet, Narrative, Legal Lot Determination, Approved Plats Abutting Site, Boundary Survey, Soils Analysis Rpt, Stormwater TIR, Stormwater Plan, Engineer Statement, Traffic Study, SEPA, Arch Pre-Det, Sewer Dist Ltr, Water Rev Ltr, Health Dept Ltr, CC&R's, Associated Applications: Habitat/ Wetland Delineation Rpt, Wetland Rating Form, Habitat Buffer Mitigation, Geo Hazard, Sight Distance Cert, Circulation Plan |
| 7 | 1/29/10 | CC Development Services | Fully Complete Determination |
| 8 | 1/29/10 | CC Development Services | REVISED Fully Complete Determination |
| 9 | 2/18/10 | CC Development Services | Notice of Type III Development Review Application, Optional SEPA & Public Hearing |
| 10 | 2/18/10 | CC Development Services | Affidavit of Sending Type II Public Notice |
| 11 | 3/4/10 | Marland J. Howard, et. al. | Public comment from 67 neighbors & Photos |
| 12 | 3/12/10 | Marland J. Howard | Additional comments |
| 13 | 3/24/10 | CC Development Services | Notice of Public Hearing |
| 14 | 3/31/10 | Brent Davis, County Environmental Services | Wetland Determination Report and Map |

| EXHIBIT NO. | DATE | SUBMITTED BY | DESCRIPTION |
|-------------|---------|---|--|
| 15 | 3/31/10 | George Fornes, County Environmental Services | Habitat Mitigation Plan Summary - Map |
| 16 | 3/31/10 | Craig Smith, ARBORSMITH Tree Care | An Evaluation of the overall condition of a Garry oak tree at the site |
| 17 | 3/29/10 | Applicant: Sterling Design | Email between Brent Davis and Applicant re: WSDOT Clear Zone Standards CCC40.350.030(C) |
| 18 | 3/3/10 | CC Development Services – Michael Uduk | Early Issues Email |
| 19 | 3/18/10 | Applicant: Sterling Design | Early Issues Response Email |
| 20 | 3/22/10 | CC Development Services – Brent Davis | Re: Early Issues Meeting |
| 21 | 3/5/10 | Dept of Ecology | Agency Comments |
| 22 | 4/7/10 | CC Development Services | Affidavit of Posting Public Notice |
| 23 | 4/7/10 | CC Development Services – Michael Uduk, Project Planner | Type III Development & Environmental Review, Staff Report & Recommendation written by Michael Uduk |

Copies of these exhibits can be viewed at:

Department of Community Development / Planning Division
1300 Franklin Street
Vancouver, WA 98666-9810